

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER D-175-17  
Relating to Exemptions Under Section 27156  
of the Vehicle Code

HYPERMAX ENGINEERING, INC.  
DIESEL CONTROLLER

Pursuant to the authority vested in the Air Resources Board by Section 27156 of the Vehicle Code;  
and

Pursuant to the authority vested in the undersigned by Section 39515 and Section 39516 of the  
Health and Safety Code and Executive Order G-45-9;

IT IS ORDERED AND RESOLVED: That the installation of the Diesel Controller marketed by  
Hypermax Engineering, Inc., 255 E Route 72, Gilberts, Illinois 60136 has been found not to reduce  
the effectiveness of the applicable vehicle pollution control system and, therefore, is exempt from the  
prohibitions of Section 27156 of the Vehicle Code for 1993 through 2000 model year trucks equipped  
with a turbocharged Navistar 7.3L diesel engine.

The Diesel Controller is a replacement ECM that has been reprogrammed to increase fuel delivery at  
wide-open-throttle (WOT).

This Executive Order is valid provided that the installation instructions for the Diesel Controller will not  
recommend tuning the vehicle to specifications different from those of the vehicle manufacturer.

This Executive Order shall not apply to any Hypermax Engineering, Inc. Diesel Controller advertised,  
offered for sale, sold with, or installed on, a motor vehicle prior to or concurrent with transfer to an  
ultimate purchaser.

Changes made to the design or operating conditions of the Diesel Controller, as exempt by the Air  
Resources Board, which adversely affect the performance of the vehicle's pollution control system  
shall invalidate this Executive Order.

Marketing of the Diesel Controller using any identification other than that shown in this Executive  
Order or marketing of the system for an application other than those listed in this Executive Order  
shall be prohibited unless prior approval is obtained from the Air Resources Board. Exemption of the  
system shall not be construed as exemption to sell, offer for sale, or advertise any component of the  
kit as an individual device.

This Executive Order is granted based on submitted emissions test data, conducted at Roush  
Industries, on a 2000 Ford Excursion with a 7.3L diesel engine. Testing consisted of comparative  
Cold Start 505 Federal Test Procedures.

|                   | HC   | CO  | NOX | PARTICULATES |
|-------------------|------|-----|-----|--------------|
| Stock             | 0.59 | 2.5 | 5.5 | 0.23         |
| Diesel Controller | 0.56 | 2.7 | 5.7 | 0.18         |
| % Difference      | -5.0 | 8.0 | 3.6 | -21.7        |

Results from the emission tests show the vehicle emissions with the Diesel Controller installed did not cause exhaust emissions to exceed the baseline emissions by more than the allowed limits of 10 percent or 0.1 grams per mile on hydrocarbon (HC), oxides of nitrogen (NOx) and Particulates, and 15 percent or 1.0 grams per mile carbon monoxide (CO) as specified in the "Procedures for Exemption of Add-On and Modified Parts".

This Executive Order is also based on On Board Diagnostic II (OBD II) testing and opacity testing on the same test vehicle. Opacity test results are listed below. Test data showed that the Diesel Controller when installed on the vehicles did not significantly affect the vehicle's smoke opacity or the ability to perform its OBD II monitoring.

|                   | OPACITY (Percent) |
|-------------------|-------------------|
| Stock             | 4.9, 5.7, 4.3     |
| Diesel Controller | 5.0, 6.1, 4.5     |

This Executive Order does not constitute any opinion as to the effect the use of the Diesel Controller may have on any warranty either expressed or implied by the vehicle manufacturer.

THIS EXECUTIVE ORDER DOES NOT CONSTITUTE A CERTIFICATION, ACCREDITATION, APPROVAL, OR ANY OTHER TYPE OF ENDORSEMENT BY THE AIR RESOURCES BOARD OF ANY CLAIMS OF THE APPLICANT CONCERNING ANTI-POLLUTION BENEFITS OR ANY ALLEGED BENEFITS OF HYPERMAX ENGINEERING, INC.'S DIESEL CONTROLLER.

No claim of any kind, such as "Approved by the Air Resources Board", may be made with respect to the action taken herein in any advertising or other oral or written communication.

Violation of any of the above conditions shall be grounds for revocation of this order. The order may be revoked only after a ten-day written notice of intention to revoke the order, in which period the holder of the order may request in writing a hearing to contest the proposed revocation. If a hearing is requested, it shall be held within ten days of receipt of the request and the order may not be revoked until a determination after hearing that grounds for revocation exist.

Executive Order D-175-15 dated September 1998, is superseded and of no further force and effect.

Executed at El Monte, California, this 21<sup>st</sup> day of March 2000.

  
R. B. Summerfield, Chief  
Mobile Source Operations Division